

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on

11/11/02

Date of Deposit

Hugh A. Abrams, Reg. No. 31,937

**Name of Applicant, Assignee or
Registered Representative**

Hugh A. Adams
Signature

Signature

9/Conversion
Papers Job
8/2002
10/31/02

RECEIVED

NOV 22 2002

GROUP 3600

© EII-N-DSC 5A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David W. Nelms et al.
Serial No. 10/085,454
Filing Date: February 27, 2002
For: NON-RECTANGULAR SHAPED
CREDIT CARD WITH CASE

**PETITION TO CLAIM BENEFIT UNDER 35 U.S.C. § 120 OF A PRIOR COPENDING
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.78(a)(3)**

Honorable Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The Applicants hereby petition in accordance with 37 C.F.R. § 1.78(a)(3) to claim the benefit, for this application, under 35 U.S.C. § 120, of prior copending application no. 29/133,861, filed December 8, 2000. Applicants are filing concurrently herewith an Amendment, Request and Fee to Add To Original Erroneously Not Named Inventors in a Non-

Provisional Application to add an inventor to this application. Upon acceptance of that Amendment, and the addition of the erroneously not named inventor, Roger Hochschild, Applicants request granting of this petition to claim the benefit of the prior copending application. Applicants state that the entire delay between the date the claim for the benefit of the earlier application was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date this claim is filed was unintentional.

Enclosed is a check in the amount of \$1,280.00 for the surcharge fee required by 37 C.F.R. § 1.17(t). The Commissioner is authorized charge any additional fees necessitated by this filing to Deposit Account No. 18-1260.

Dated: November 11, 2002

Respectfully submitted,

Hugh Abrams

Hugh A. Abrams
Reg. No. 31,937
Attorney for Applicants

Sidley Austin Brown & Wood
Bank One Plaza
10 S. Dearborn Street
Chicago, IL 60603
(312) 853-7017

Address all correspondence to:

Docket Administrator
SIDLEY AUSTIN BROWN & WOOD LLP
717 North Harwood, Suite 3400
Dallas, Texas 75201-6507
(214) 981-3300 (Main)
(214) 981-3400 (Facsimile)